#### SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

# **United States Patent Application**

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

#### No such applications have been filed.

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Application Number	Filing Date	Status
08/311,964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Foge, Devid N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryl S.	Rez. No. 37.850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.	Rez. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
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Dryja, Michael A.	Reg. No. 39,662	Lemaire, Charles A.	Reg. No. 36,198		

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Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

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Full Name of joint inventor number 1: Mark J. Dapper

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Signature: Date: Date:

Signature: 170 G	Mark Dapper	Dete: 1/23/9/	
Full Name of joint invento Citizenship: Post Office Address:	United States of America 316 Miami Valley Drive	Residence: Loveland, OH	
Signature:	Loveland, OH 45140  Michael J. Geile	Date: 1/22/97	
Citizenship: Post Office Address:	number 3: Terrance J. Hill United States of America 1765 Garrett House Lane	Residence: Fairfield, OH	
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Full Name of joint inventor Citizenship: Post Office Address:	number 4: Harold A. Roberts United States of America 7017 Beacon Circle Eden Prairie, MN 55346	Residence: Eden Prairie, MN	
Signature:		Date:	

X Additional inventors are being named on separately numbered sheets, attached hereto.

Harold A. Roberts

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Full Name of joint mye			•
Citizenship:	United States of America	Residence: Plymouth. MN	
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	Serege Min 33376		
Signature:		Date:	
	Robert J. Kirschi		•
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X Additional inventors a	re being named on separately numbered shee	is, anached hereto.	

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996

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Full Name of joint invento Citizenship: Post Office Address:	r number 6: <u>Jeffrey Brede</u> United States of America 8073 Curtis Lane Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
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Jeff Solum

Our Ref. 500.623US1
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Page 5 of 10

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itizenship: ost Office Address:	or number 13: <u>Debra Lea Enfield</u> United States of America 464 Ridge Court Chaska, MN 55318	Residence: Chaska, MN	
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Il Name of joint inventorizenship: st Office Address:  nature:  I Name of joint inventorizenship:	United States of America 230 Waterford Drive Lake Zurich, IL 60047  Thomas Smigelski  r number 16: Thomas C. Tucker United States of America	Date:	
Il Name of joint inventorizenship: st Office Address:  nature:  I Name of joint inventorizenship:	United States of America 230 Waterford Drive Lake Zurich, IL 60047  Thomas Smigelski  r number 16: Thomas C. Tucker United States of America 205 Silver Creek Trail	Date:	

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Full Name of joint inventor number 17: Joe Hall Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435	•
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Full Name of joint inventor number 20: Heng Lou	
Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435	·
Signature: Date:	

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Signature:		Date:	
	Matt Downs		
	ntor number 23: Tammy Ferris		
Eitizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
ini.		Dates	
Signature:	Tammy Ferris	Date:	·
	ntor number 24: Adam Onoczynski		
Citizenship: Post Office Address:	United States of America 3705 Roxbury Lane Plano, TX 75025	Residence: Plano, TX	
Signature:		Date:	
•	Adam Opoczynski		

Full Name of joint inventor number 25: David S. Russell

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5145 Luverne Avenue Minneapolis, MN 55419		
	Date:	
avid S. Russell		
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United States of America 26190 Birch Bluff Road Shorewood, MN 55331	Residence: Shorewood, MN	
	Date:	
lvin G. Nelson	•	
umber 27: Niranjan R. Samant		_
United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT	
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ranjan R. Samant	Date:	
mber 28 · Joseph R Chiannetta		
United States of America	Residence: Trumbull, CT	
6 Ranch Drive Trumbull, CT 06611		
	Date:	
eph F. Chiappetta		
	Minneapolis, MN 55419  avid S. Russell  umber 26: Calvin G. Nelson    United States of America    26190 Birch Bluff Road    Shorewood, MN 55331  alvin G. Nelson  umber 27: Niranian R. Samant    United States of America    229 Ridgefield Drive    Middletown, CT 06547  ranjan R. Samant  united States of America    28: Joseph F. Chiappetta    United States of America    6 Ranch Drive	Minneapolis, MN 55419  Date:  avid S. Russell  Date:  Date:

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Serial	No. 0	<b>2/</b> 673	,002	?
Filing	Date:	June	21.	1996

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Full Name of joint inven Citizenship: Post Office Address:	tor number 29: Scott Saraikowski United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	· ·
Full Name of inventor: Critzenship: Post Office Address:	·	Residence:	
Signature:		Date:	·
Full Name of inventor: Citizenship: Post Office Address:	· •	Residence:	
Signature:		Date:	

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## § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

# SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

# **United States Patent Application**

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Davis Michael A	Peg No 30 667	Lemaine Charles A	Rec No 36 198		

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Telephone No. (612)339-0331

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X Additional inventors are being named on separately numbered sheets, attached hereto.

Harold A. Roberts

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Our Ref. 500.623US1 Serial No. 04/673,002 Filing Date: June 21, 1996

Signature:

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: :: =	tor number 6: Jeffrey Brede		
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Signature:		Date:	•
	Jeffrey Brede		
	tor number 7: Mark S. Wadman		
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	United States of America	Residence: Eden Prairie, MN	•
Post Office Address:	8956 Braxton Drive	Residence: Eden Prairie, MN	•
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number 12: <u>Jeff Solum</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
eff Solum	Date:	
	United States of America 1894 Sunrise Court Eagan, MN 55122  James J. Herrmann  number 10: Michael J. Fort United States of America 1045 Northview Park Eagan, MN 55123  Michael J. Fort  number 11: Steven P. Buska United States of America 13370 Stanton Drive Minnetonka, MN 55305  Neven P. Buska  united States of America 4900 West 78th Street	United States of America 1894 Sunrise Court Eagan, MN 55122  Date:  James J. Herrmann  number 10: Michael J. Fort United States of America 1045 Northview Park Eagan, MN 55123  Date:  Michael J. Fort  United States of America 10370 Stanton Drive Minnetonka, MN 55305  Date:  Date:

Our Ref. 500.623USI
Serial No. 02/673,002
Filing Date: June 28, 1996

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

Citizenship:

Signature:

Post Office Address:

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 13: Debra Lea Enfield United States of America Residence: Chaska, MN Citizenship: 464 Ridge Court Post Office Address: Chaska, MN 55318 Date: Signature: Debra Lea Enfield Full Name of joint inventor number 14: Darrell Berg Residence: Bloomington, MN United States of America Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Ħ. Signature: Darrell Berg 13 L'I Full Name of joint inventor number 15: Thomas Smigelski Residence: Lake Zurich, IL United States of America Citizenship: 230 Waterford Drive Post Office Address: Lake Zurich, IL 60047 ļ Signature: Date: Thomas Smigelski M

Residence: Chapel Hill, NC

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

United States of America

205 Silver Creek Trail

Chapel Hill NC 27514

Full Name of joint inventor number 16: Thomas C. Tucker

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 17: Joe Hall Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Signature; Date: Joe Hall Full Name of joint inventor number 18: John M. Loraian Citizenship: United States of America Residence: Arden Hills, MN Post Office Address: 4248 Hamline Avenue Arden Hills, MN 55112 Signature: Date: John M. Logajan Full Name of joint inventor number 19: Somyay Bouslouang Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 į. Signature: Date: <u>L</u>i Somvay Boualouang Full Name of joint inventor number 20: Heng Lou Citizenship: **United States of America** Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Signature: Date: Heng Lou

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996

Post Office Address:

Signature:

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 21: Mark D. Elpers Residence: Elk River, MN **United States of America** Citizenship: 16303 205th Avenue NW Post Office Address: Elk River, MN 55330 Signature: Mark D. Elpers Full Name of joint inventor number 22: Matt Downs Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Date: Signature: Matt Downs DJ. LT. Full Name of joint inventor number 23: Tammy Ferris United States of America Residence: Bloomington, MN Citizenship: Post Office Address: 4900 West 78th Street Bloomington, MN 55435 į. La Signature: Tammy Ferris ħj Full Name of joint inventor number 24: Adam Opoczynski United States of America Citizenship: Residence: Plano, TX

Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

Adam Opoczynski

3705 Roxbury Lane Plano, TX 75025

X Additional inventors are being named on separately numbered sheets, attached hereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

United States of America	Residence: Minneapolis, MN	
5145 Luverne Avenue		•
Minneapolis, MN 55419		
	Date:	
David S. Russell		
or number 26: Calvin G. Nelson		
	Residence: Sharewood, MN	
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	Date	
Calvin G. Nelson	· · · · · · · · · · · · · · · · · · ·	
Carrier C. 1401304	•	
naumber 27 - Ninemies B Comme		
or number 27: Niranian R. Samant	De Marco Britania com	
United States of America	Residence: Middletown, CT	
United States of America 229 Ridgefield Drive	Residence: Middletown, CT	
United States of America	Residence: Middletown, CT	
United States of America 229 Ridgefield Drive		
United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT  Date:	
United States of America 229 Ridgefield Drive		
United States of America 229 Ridgefield Drive Middletown, CT 06547		
United States of America 229 Ridgefield Drive Middletown, CT 06547  Niranjan R. Samant		
United States of America 229 Ridgefield Drive Middletown, CT 06547  Niranjan R. Samant		
United States of America 229 Ridgefield Drive Middletown, CT 06547	Date:	
United States of America 229 Ridgefield Drive Middletown, CT 06547  Niranjan R. Samant  r number 28: Joseph F. Chiappetta United States of America		
United States of America 229 Ridgefield Drive Middletown, CT 06547  Niranjan R. Samant  r number 28: Joseph F. Chiappetta United States of America 6 Ranch Drive	Date:	
United States of America 229 Ridgefield Drive Middletown, CT 06547  Niranjan R. Samant  r number 28: Joseph F. Chiappetta United States of America	Date:	
United States of America 229 Ridgefield Drive Middletown, CT 06547  Niranjan R. Samant  r number 28: Joseph F. Chiappetta United States of America 6 Ranch Drive	Date:	
	5145 Luverne Avenue Minneapolis, MN 55419	5145 Luverne Avenue Minneapolis, MN 55419  Date:  David S. Russell  or number 26: Calvin G. Nelson United States of America Residence: Shorewood, MN 26190 Birch Bluff Road Shorewood, MN 55331  Date:

Our Ref.	500.623	US	ì
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Page 9 of 10

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Citizenship: Post Office Address:	United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:		Date:	
	Scott Samikowski		
****			-
Full Name of inventor:			•
Citizenship:		Residence:	
Post Office Address:			
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Full Name of inventor:			
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Full Name of inventor:			
Citizenship:		Residence:	
Post Office Address:			
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Signature:		Date:	
		Date.	

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### § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

#### SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

# **United States Patent Application**

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

### No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Filing Date	Status
08/311,964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Fogg, David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryt S.	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J.	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Drvia, Michael A.	Res No 39 662	Lemnire Charles A	Peg No 36 108		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inver Citizenship: Post Office Address:	ntor number 1: Mark J. Dapper United States of America 6558 Baywood Lane Cincinnati, OH 45224	Residence: Cincinnati, OH	
Signature:	Mark J. Dapper	Date:	·
Full Name of joint inver Crizenship: Post Office Address:	ator number 2: Michael J. Geile United States of America 316 Miami Valley Drive Loveland, OH 45140	Residence: Loveland, OH	
Signature:	Michael J. Geile	Date:	·
Full Name of joint inven Citizenship: Post Office Address:	tor number 3: Terrance J. Hill United States of America 1765 Garrett House Lane Fairfield, OH 45014	Residence: Fairfield, OH	
Signature:	Terrance J. Hill	Date:	
Full Name of joint inventional Citizenship: Post Office Address:	tor number 4: Harold A. Roberts United States of America 7017 Beacon Circle Eden Prairie, MN 55346	Residence: Eden Prairie, MN	
Signature:	Harold A. Roberts	Date:	
•			

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inve		5 11 mm 11 nmr	
Citizenship:	United States of America	Residence: Plymouth, MN	•
Post Office Address:	11430 - 50th Place North		
•	Plymouth, MN 55442		
Signature:		Date:	·
	Brian D. Anderson		•
Full Name of joint inve	entor number 6: Jeffrey Brede		<del>-</del>
Citizenship:	United States of America	Residence: Edea Pratrie, MN	
Post Office Address:	8073 Curtis Lane		•
	Eden Prairie, MN 55347		
Signature:		Date:	<u> </u>
	Jeffrey Brede	_	
		·	
11 2			-
Full Name of joint inve	ntor number 7: Mark S. Wadman		•
Citizenship:	United States of America	Residence: Eden Prairie, MN	
Post Office Address:	8956 Braxton Drive	·	
in ž	Eden Prairie, MN 55347		
2.2.			
Signature:		Date:	
	Mark S. Wadman	1	
Full Name of joint inve	ntor number 8: Robert J. Kirscht		•
Citizenship:	United States of America	Residence: Savage, MN	
Post Office Address:	13106 Vernon Avenue South	stonetice, our age, ner	
on Cincination.	Savage, MN 55378		
	Out 180, 1111 000 10		
Signature:	-	Date:	
_	Robert J. Kirscht		
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Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996			Page 4 of 10
belief are believed to be	e that all statements made herein of my own it true; and further that these statements were a fine or imprisonment, or both, under Section ize the validity of the application or any pater	nade with the knowledge that willful false 1001 of Title 18 of the United States Code	statements and the like so
Full Name of joint inver Citizenship: Post Office Address:	United States of America 1894 Sunrise Court Eagan, MN 55122	Residence: Eagan, MN	
Signature:		Date:	
	James J. Herrmann		
Full Name of joint inver Citizenship: Post Office Address:	tor number 10: Michael J. Fort United States of America 1045 Northview Park Eagan, MN 55123 Michael J. Fort	Residence: Eagaa, MN	
1 5 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
Citizenship: Post Office Address:	utor number 11: Steven P. Buska United States of America 13370 Stanton Drive Minnetonka, MN 55305	Residence: Minnetonka, MN	
in it is the state of the state		. Date:	·
Sguature.	Steven P. Buska		
	tor number 12: Jeff Solum	Residence: Bloomington, MN	
Citizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435	respectes discussing in 1	

Date:

Jeff Solum

Signature:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996

Signature:

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Date:

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Thomas C. Tucker

X Additional inventors are being named on separately numbered sheets, attached hereto.

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Full Name of joint inve Citizenship: Post Office Address:	ntor number 17: Joe Hall United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Joe Hall	Date:	
Citizenship: Post Office Address:	ntor number 18: John M. Logaian United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Arden Hills, MN	<del></del>
Signature:	John M. Logajan	Date:	
Full Name of joint inver Citizenship: Post Office Address:	utor number 19: Somyay Boualouang United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	<b></b>
Signature:	Somvay Boualouang	Date:	
Full Name of joint inven Citizenship: Post Office Address:	tor number 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Umo I an	Date:	

Our Ref. 500.623US1 Serial No. 06/673,002 Filing Date: June 28, 1996

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Citizenship:	number 21: Mark D. Eipers United States of America	Residence: Elk River, MN	•
Post Office Address:	16303 205th Avenue NW		
	Elk River, MN 55330	.//-	
Signature:	11/14	Date:	-
	Mark D. Elpers		
Full Name of joint inventor	number 22: Matt Downs		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street Bloomington, MN 55435		
$\mathcal{M}_{\mathbf{J}}$	The same	Date: 1-21-97	
Signature:	Matt Downs		
70			
: # :::::::::::::::::::::::::::::::::::			
Full Name of joint inventor	number 23: Tammy Ferris		
Citizenship:	number 23: Tammy Ferris United States of America	Residence: Bloomington, MN	
	United States of America 4900 West 78th Street	Residence: Bloomington, MN	
Citizenship:	<b>United States of America</b>	Residence: Bloomington, MN	
Citizenship: Post Office Address:  Signature:	United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN  Date:	
Citizenship: Post Office Address: Signature:	United States of America 4900 West 78th Street		
Citizenship: Post Office Address: Signature:	United States of America 4900 West 78th Street Bloomington, MN 55435  Tammy Ferris		
Citizenship: Post Office Address: Signature: Full Name of joint inventor Citizenship:	United States of America 4900 West 78th Street Bloomington, MN 55435  Tammy Ferris  number 24: Adam Opoczynski United States of America		·
Citizenship: Post Office Address: Signature: Full Name of joint inventor	United States of America 4900 West 78th Street Bloomington, MN 55435  Tammy Ferris  number 24: Adam Opoczynski United States of America 3705 Roxbury Lane	Date:	
Citizenship: Post Office Address:  Signature:  Full Name of joint inventor Citizenship:	United States of America 4900 West 78th Street Bloomington, MN 55435  Tammy Ferris  number 24: Adam Opoczynski United States of America	Date:	-
Citizenship: Post Office Address:  Signature:  Full Name of joint inventor Citizenship: Post Office Address:  Signature:	United States of America 4900 West 78th Street Bloomington, MN 55435  Tammy Ferris  number 24: Adam Opoczynski United States of America 3705 Roxbury Lane	Date:	

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Citizenship: Post Office Address:	United States of America 16303 205th Avenue NW Elk River, MN 55330	Residence: Elik River, MN
Signature:	Mark D. Elpers	Dete:
Full Name of joint invento Citizenship: Post Office Address:	r number 22: <u>Matt Downs</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN
Signature:	Matt Downs	Dete:
Full Name of joint inventor Citizenship:	r number 23: Tammy Ferris United States of America	Residence: Bloomington, MIN
Post Office Address:	4900 West 78th Street Bloomington, MN 55435	
•		Date: 1-21-97
Post Office Address:  Signature:	Bloomington, MN 55435	Date: 1-21-97  Residence: Plano, TX

Signature:

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 25: David S. Russell Citizenship: **United States of America** Residence: Minneapolis, MN Post Office Address: 5145 Luverne Avenue Minneapolis, MN 55419 Signature: David S. Russell Full Name of joint inventor number 26: Calvin G. Nelson United States of America Citizenship: Residence: Shorewood, MN Post Office Address: 26190 Birch Bluff Road Shorewood, MN 55331 Signature: Date: Calvin G. Nelson 4, 01 Full Name of joint inventor number 27: Niranjan R. Samant Citizenship: United States of America /NOA Residence: Middletown, CT Post Office Address: 229 Ridgefield Drive Middletown, CT 06547 l.: Signature: Niranian R. Samant ļ. Full Name of joint inventor number 28: Joseph F. Chiappetta Citizenship: United States of America Residence: Trumbull, CT Post Office Address: 6 Ranch Drive Trumbull CT 06611

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

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Scriel No. 08/673,002 Filing Date: June 28, 1996 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 29: Scott Saraikowski United States of America Residence: Plymouth, MN Citizenship: Post Office Address: 13235 57th Avenue North Plymouth, MN 55442 Date: Signature: Scott Sarnikowski Full Name of inventor: Citizenship: Residence: Post Office Address: L Signature: Date: Ü Full Name of inventor: Citizenship: Residence: Post Office Address: Signature: Date:

Full Name of inventor:

Our Ref. 500.623US1

Citizenship:

Post Office Address:

Residence:

Signature:

Date:

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### § 1.56. Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (f) prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - -(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

#### SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

# **United States Patent Application**

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

1 acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

M

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) alisted below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national cor PCT international filing date of this application.

Application Number	Filing Date	Status
08/311,964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May. 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Bianchi, Timothy E. Billig, Patrick G. Billion, Richard E. Brennan, Thomas F. Burke, John E. Clark, Barbara J. Dovin Michael A.	Reg. No. 24,916 Reg. No. 39,610 Reg. No. 38,080 Reg. No. 32,836 Reg. No. 35,075 Reg. No. 35,836 Reg. No. 38,107	Embretson, Janet E. Fogg, David N. Forrest, Bradley A. Holloway, Sheryl S. Kalinowski, Leonard J. Klima-Silberg, Catherine I. Kluth, Daniel J.	Reg. No. 39,665 Reg. No. 35,138 Reg. No. 30,837 Reg. No. 37,850 Reg. No. 24,207 Reg. No. 40,052 Reg. No. 32,146	Lempia, Bryan J. Linnan, Mark A. Lundberg, Steven W. Schwegman, Micheal L. Slifer, Russell D. Viksnins, Ann S. Woessner, Warren D.	Reg. No. 39,746 Reg. No. 26,390 Reg. No. 30,568 Reg. No. 25,816 Reg. No. 39,838 Reg. No. 37,748 Reg. No. 30,440
Dryja, Michael A.	Reg. No. 39,662	Lemaire, Charles A.	Reg. No. 36,198		1008.110.20,440

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

Our Réf. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Mark J. Dapper

Citizenship: Post Office Address:	United States of America 6558 Baywood Lane Cincinnati, OH 45224	Residence: Clacianati, OH	
Signature:	Mark J. Dapper	Date:	
Full Name of joint inves	ntor number 2: Michael J. Geile		
Citizenship: Post Office Address:	United States of America 316 Miami Valley Drive Loveland, OH 45140	Residence: Loveland, OH	
Signature:	Michael J. Geile	Dete:	
Full Name of joint inver Citizenship: Post Office Address: Signature:	ntor number 3: Terrance J. Hill United States of America 1765 Garrett House Lane Fairfield, OH 45014	Residence: Fairfield, OH	
ognamic. -≜ m	Terrance J. Hill	Date:	
Full Name of joint inventional Citizenship: Post Office Address:	United States of America 7017 Beacon Circle Eden Prairie, MN 55346	Residence: Eden Prairie, MN	
Signature:	Harold A. Roberts	Date:	<del></del> -

Signature:

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 5: Brian D. Anderson Citizenship: **United States of America** Residence: Plymouth, MN Post Office Address: 11430 - 50th Place North Plymouth, MN 55442 Signature: Brian D. Anderson Full Name of joint inventor number 6: Jeffrey Brede Citizenship: **United States of America** Residence: Edea Prairie, MN Post Office Address: Signature: D Full Name of joint inventor number 7: Mark S. Wadman Citizenship: United States of America Residence: Eden Prairie, MN Post Office Address: 8956 Braxton Drive Eden Prairie, MN 55347 Signature: Date: Mark S. Wadman N Full Name of joint inventor number 8: Robert J. Kirscht Citizenship: United States of America Residence: Savage, MN Post Office Address: 13106 Vernon Avenue South Savage, MN 55378

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Full Name of joint inventor number 9: James J. Herrmans Citizenship: United States of America Post Office Address: 1894 Sunrise Court	Residence: Eagan, MN
Signature: Eagan, MN/55122  Signature: James J. Herrmann	Detc: <u>1/23/97</u>
Full Name of joint inventor number 10: Michael J. Fort  Citizenship: United States of America  Post Office Address: 1045 Northview Park	Residence: Eagan, MN
Signature: Michael J. Fort	Dete: 1/22/97
Full Name of joint inventor number 11: Steven P. Buska Citizenship: United States of America Post Office Address: 13370 Stanton Drive Minnetonka, MN 55305	Residence: Minnetonka, MN
Signature: Steven P. Buska	Date: 1/22/97
Full Name of joint inventor number 12: Jeff Solum Citizenship: United States of America Post Office Address: 4900 West 78th Street  Bloomington, MN 55435	Residence: Bloomington, MN
Signature: Jeff Solum	Date:
X Additional inventors are being named on separately numbere	ed sheets, attached hereto.

Full Name of joint inven Citizenship:	tor number 13: <u>Debra Lea Enfield</u> United States of America	Residence: Chaska, MN	
Post Office Address:	464 Ridge Court Chaska, MN 55318		
Signature:	Debra Lea Enfield	Date:	
Full Name of joint inven Citizenship: Post Office Address:	tor number 14: <u>Darrell Berg</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Darrell Berg	Dete: 4/2/97	•
Full Name of joint inven Citizenship: Post Office Address:	tor number 15: <u>Thomas Smirelski</u> United States of America 230 Waterford Drive Lake Zurich, IL 60047	Residence: Lake Zurich, IL	
Signature:		Date:	
	Thomas Smigelski		
Full Name of joint inven Citizenship: Post Office Address:	tor number 16: Thomas C. Tucker United States of America 205 Silver Creek Trail Chapel Hill, NC 27514	Residence: Chapel Hill, NC	•
		Date:	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor Citizenship: Post Office Address:	number 17: Joe Hall United States of America 4900 West 78th Street Blogmington, MN 55435	Residence: Bloomington, MN	
Signature:	Le full loce Hall	Date:	
Full Name of joint inventor Citizenship: Post Office Address:	number 18: John M. Logajan United States of America 4248 Hamline Avenue	Residence: Arden Hills, MN	
Signature:	Arden Hills, MN 55112  Mohn M. Logajan	Date: 1/21/97	-
Full Name of joint inventor Citizenship: Post Office Address:	number 19: Somyay Roualouang United States of America 4900 West 78th Street	Residence: Bloomington, MN	
Signature:	Bloomington, MN 55435  Somvey Bouslowing	Date: 1/21/97	
Full Name of joint inventor Citizenship: Post Office Address:	number 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	ieng Lou	Date: 1/22/97	<del></del>

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Citizenship: Post Office Address:	United States of America 16303 205th Avenue NW Elk River, MN 55330	Residence: Elk River, MN	
Signature:		Date:	
-	Mark D. Elpers		
Full Name of joint inve	ntor number 22: Matt Downs		•
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street Bloomington, MN 55435		•
Signature:		Date:	
	Matt Downs		
	ntor number 23: Tammy Ferris		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street Bloomington, MN 55435		
Signature:		Date:	
in the state of th	Tammy Fetris		
Full Name of joint inver	ntor number 24: Adam Opoczynski		
Citizenship:	United States of America	Residence: Piano, TX	•
Post Office Address:	3705 Roxbury Lane Plano, TX 75025		
Signature:	·	Date:	
•	Adam Opoczynski		
,			-

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 25: David S. Russell United States of America Citizenship: Residence: Minneapolis, MN Post Office Address: 5145 Luverne Avenue Minneapolis, MN 55419 Signature: David S. Russell Full Name of joint inventor number 26: Calvin G. Nelson Citizenship: United States of America Residence: Shorewood, MN Post Office Address: 26190 Birch Bluff Road Shorewood, MN 55331 Signature: Calvin G. Nelson L. Full Name of joint inventor number 27: Niranjan R. Samant United States of America Residence: Middletown, CT 229 Ridgefield Drive Post Office Address: Middletown, CT 06547 1,2 Signature: Date: Niranjan R. Samant TLI Full Name of joint inventor number 28: Joseph F. Chiappetta United States of America Citizenship: Residence: Trumbull, CT Post Office Address: 6 Ranch Drive Trumbull, CT 06611 Signature: Date:

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X Additional inventors are being named on separately numbered sheets, attached hereto.

Joseph F. Chiappetta

Our Ref. 500.623US1	
Serial No. 06/673,002	
Filing Date: June 28, 1996	δ

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Full Name of joint invent Citizenship: Post Office Address:	tor number 29: Scott Sarnikowski United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Dete:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

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# SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

# **United States Patent Application**

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08/457,295	June 1, 1995	Pending
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Anglin, J. Michael Bianchi, Timothy E. Billig, Patrick G. Billion, Richard E. Brennan, Thomas F. Burke, John E. Clark, Barbara J. Dryja, Michael A.	Reg. No. 24,916 Reg. No. 39,610 Reg. No. 38,080 Reg. No. 32,836 Reg. No. 35,836 Reg. No. 35,836 Reg. No. 38,107 Reg. No. 39,662	Embresson, Janet E. Fogg, David N.: Forrest, Bradley A. Holloway, Sheryl S. Kalimowski, Leonard J. Klima-Silberg, Catherine I. Kluth, Daniel J. Lemaire, Charles A.	Reg. No. 39,665 Reg. No. 35,138 Reg. No. 30,837 Reg. No. 37,850 Reg. No. 24,207 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 36,198	Lempia, Bryan J. Litman, Mark A. Lundberg, Steven W. Schwegman, Micheal L. Slifer, Russell D. Viksnins, Ann S. Woessner, Warren D.	Reg. No. 39,746 Reg. No. 26,390 Reg. No. 30,568 Reg. No. 25,816 Reg. No. 39,838 Reg. No. 37,748 Reg. No. 30,440
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P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)339-0331

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: Mark J. Dapper Residence: Cincinnati, OH United States of America Citizenship: 6558 Baywood Lane Post Office Address: Cincinnati, OH 45224 Date: Signature: Mark J. Dapper Full Name of joint inventor number 2: Michael J. Gelle Residence: Loveland, OH United States of America Citizenship: 316 Miami Valley Drive Post Office Address: Loveland, OH 45140 1 Date: Signature: Michael J. Geile 71 LT Full Name of joint inventor number 3: Terrance J. Hill United States of America Residence: Fairfield, OH Citizenship: Post Office Address: 1765 Garrett House Lane Fairfield, OH 45014 ķä Ļš Date: Signature: Terrance J. Hill f. Full Name of joint inventor number 4: Harold A. Roberts United States of America Residence: Eden Prairie, MN Citizenship: 7017 Beacon Circle Post Office Address: Eden Prairie, MN 55346 Date: Signature: Harold A. Roberts

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint invent			·
Citizenship:	United States of America	Residence: Plymouth, MN	
Post Office Address:	11430 - 50th Place North	•	
	Plymouth, MN 55442		
Signature:		Date:	
	Brian D. Anderson		
Full Name of joint invento	or number 6: <u>Jeffrey Brede</u>		
Citizenship:	United States of America	Residence: Eden Prairie, MN	
Post Office Address:	8073 Curtis Lane		
Harasi Harasi Langi	Eden Prairie, MN 55347		
Signature:		Date:	•
	Jeffrey Brede		
77 Th	•		
Total Control of the			
Full Name of joint invento	r number 7: Mark S. Wadman	•	
Citizenship:	United States of America	Residence: Edea Prairie, MN	
Post Office Address:	8956 Braxton Drive		
<u>1. s</u>	Eden Prairie, MN 55347		
			•
Signature:		Date:	
	Mark S. Wadman		
198			
Full Name of joint inventor Citizenship:	r number 8: Robert J. Kirscht United States of America	Deller Corres SOI	
Ciuzensnip: Post Office Address:		Residence: Savage, MN	
rosi Ottice Address:	13106 Vernon Avenue South Savage, MN 55378		
Signature:		Date:	
	Robert J. Kirscht		
_			
X Additional inventors are	being named on separately numbered shee	ts, attached hereto.	

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Full Name of joint invent			
Citizenship:	United States of America	Residence: Eagan, MN	
Post Office Address:	1894 Sunrise Court		
	Eagan, MN 55122		
Signature:		Date:	
	James J. Herrmann		
Full Name of joint invento	or number 10: Michael J. Fort		-
Citizenship:	United States of America	Residence: Engan, MN	•
Post Office Address:	1045 Northview Park		
SOUTH E	Eagan, MN 55123		
The same of the sa			
Signature:		Date:	·
	Michael J. Fort		
The Alla			
			•
	or number 11: Steven P. Buska		
Citizenship:	United States of America	Residence: Minnetonka, MN	•
Post Office Address:	13370 Stanton Drive		
the first	Minnetonka, MN 55305		
Signature:		Date:	<del></del>
i de die	Steven P. Buska		
565 8			•
	r number 12: Jeff Solum		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street		
	Bloomington, MN 55435		
Signature:		Date:	
•	Jeff Solum	·	
		·	
-			
X Additional inventors are	being named on separately numbered shee	ts, attached hereto.	

Date:

38 1-847-884-0493 J.

1,1997 10:33 Pg: 3 ot 3

X Additional inventors are being named on separately numbered sheets, attached hereto.

Thomas C. Tucker

205 Sliver Crock Trail Chapel Hill, NC 27514

rrom: Zurich Pesign Labor.

Post Office Address:

Signature:

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 17: Joe Hall United States of America Citizenship: Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Signature: Date: Joe Hall Full Name of joint inventor number 18: John M. Logaian United States of America Citizenship: Residence: Arden Hills, MN Post Office Address: 4248 Hamline Avenue Arden Hills, MN 55112 Signature: Date: John M. Logajan Ш Full Name of joint inventor number 19: Somyay Boualouane Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 į., Signature: Date: Somvay Boualouang j.d Fall Name of joint inventor number 20: Hens Lou Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Signature: Date: Heng Lou

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Full Name of joint inventor Citizenship: Post Office Address:	or number 21: Mark D. Eipers United States of America 16303 205th Avenue NW Elk River, MN 55330	Residence: Elk River, MN
Signature:	Mark D. Elpers	Date:
Citizenship: Post Office Address:	r number 22: <u>Matt Downs</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN
Signature:	Matt Downs	Date:
Full Name of joint inventor Citizenship: Post Office Address:	r number 23: Tammy Ferris United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN
Signature:	Tammy Ferris	Date:
•	number 24: Adam Opoczynski United States of America 3705 Roxbury Lane Plano, TX 75025	Residence: Plano, TX
Signature:	Adam Opoczynski	Date: Jan. 24, 1997

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

United States of America 5145 Luverne Avenue Minneapolis, MN 55419	Residence: Minnenpolis, MIN	
David S. Russell	Date:	
number 26: <u>Calvin G. Nelson</u> United States of America 26190 Birch Bluff Road	Residence: Shorewood, MN	•
Shorewood, MN'55331  Calvin G. Nelson	Date:	·
number 27: <u>Niranjan R. Samant</u> United States of America 229 Ridgefield Drive	Residence: Middletown, CT	•
Middletown, CT 06547  Jiranjan R. Samant	Date:	
United States of America	Residence: Trumbull, CT	
Trumbull, CT 06611		
	United States of America 5145 Luverne Avenue Minneapolis, MN 55419  David S. Russell  number 26: Caivin G. Nelson United States of America 26190 Birch Bluff Road Shorewood, MN 55331  Calvin G. Nelson  number 27: Niranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547  Iiranjan R. Samant  number 28: Joseph F. Chiappetta United States of America 6 Ranch Drive Trumbull, CT 06611	United States of America 5145 Luverne Avenue Minneapolis, MN 55419  Date:  David S. Russell  number 26: Calvin G. Nelson United States of America 26190 Birch Bluff Road Shorewood, MN'55331  Date:  Calvin G. Nelson  Date:  Date:

Our Ref. 500.623US1	
Serial No. 08/673,002	
Filing Date: June 28, 1996	5

Page 9 of 10

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Full Name of joint inver Citizenship: Post Office Address:	tor number 29: Scott Sarnikowski United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Chizenship: Post Office Address:	·	Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

Man Hall

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j.

### § 1.56 Duty to disclose information material to patentability.

A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent **(a)** examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- Individuals associated with the filing or prosecution of a patent application within the meaning of this section are: (c)
  - (1) Each inventor named in the application:
  - Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- **(d)** Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

#### SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

# **United States Patent Application**

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

### No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

### No such applications have been filed.

n

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Filing Date	<u>Status</u>
08/311,964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Fogg, David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryl S.	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J.	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Dryja, Michael A.	Reg. No. 39,662	Lemaire, Charles A.	Reg. No. 36,198		•

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: - Mark J. Dapper Residence: Cincinnati, OH United States of America Citizenship: 6558 Baywood Lane Post Office Address: Cincinnati, OH 45224 Date: Signature: Mark J. Dapper Full Name of joint inventor number 2: Michael J. Geile United States of America Residence: Loveland, OH Citizenship: 316 Miami Valley Drive Post Office Address: Loveland, OH 45140 Date: Signature: Michael J. Geile Full Name of joint inventor number 3: Terrance J. Hill Residence: Fairfield, OH United States of America Citizenship: 1765 Garrett House Lane Post Office Address: Fairfield, OH 45014 Date: Signature: Terrance J. Hill

Residence: Eden Prairie, MN

Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

Harold A. Roberts

Harold A. Roberts

United States of America

7017 Beacon Circle Eden Prairie, MN 55346

Full Name of joint inventor number 4:

Citizenship:

Signature:

Post Office Address:

made are punishable by	true; and further that these statements were the fine or imprisonment, or both, under Section to the validity of the application or any pater	1001 of Title 18 of the United States Code	tatements and the like so and that such willful false
Full Name of joint inven Citizenship: Post Office Address:	tor number 5: Brian D, Anderson United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Brian D. Anderson	Date:	
Full Name of joint inven Citizenship: Post Office Address:	United States of America 8073 Curtis Lane	Residence: Eden Prairie, MN	<del></del>
Signature:	Eden Prairie, MN 55347  Jeffrey Brede	Dáte:	
Full Name of joint inventions of Chizenship: Post Office Address:	United States of America 8956 Braxton Drive	Residence: Eden Prairie, MN	 -
Signature:	Eden Prairie, MN 55347  Mark S. Wadman	Date:	
Full Name of joint invent Citizenship: Post Office Address:	tor number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378	Residence: Savage, MN	·
Signature:	Robert J. Kirscht	Date:	

X Additional inventors are being named on separately numbered sheets, attached hereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 9: James J. Herrmann
Citizenship: United States of America Residence: Eagan, MN
Post Office Address: 1894 Sunrise Court

Citizenship: Post Office Address:	United States of America 1894 Sunrise Court Eagan, MN 55122	Residence: Eagan, MN	
Signature:		Date: '	
•	James J. Herrmann		
	ntor number 10: Michael J. Fort		
Citizenship: Post Office Address:	United States of America 1045 Northview Park Eagan, MN 55123	Residence: Eagan, MN	
Signature:	· .	Date:	
Signature.	Michael J. Fort		
हैं : हैंदे औं इस्टें औं	ntor number 11: Steven P. Buska		·
Citizenship:	United States of America	Residence: Minnetonka, MN	
Post Office Address:	13370 Stanton Drive Minnetonka, MN 55305	·	•
200 (200 ) 200 (200 ) 200 (200 )	Minietotika, WiN 33303		
Signature:		Date:	
	Steven P. Buska		
7 7-24			
	•		
	ntor number 12: <u>Jeff Solum</u>		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street		
	Bloomington, MN 55435		
Signature:		Date:	
	Jeff Solum		•

belief are believed to be made are punishable by	true; and further that these statements were	knowledge are true and that all statements made on made with the knowledge that willful false statement 1001 of Title 18 of the United States Code and that it issued thereon.	ts and the like so
Full Name of joint inven Citizenship: Post Office Address:	tor number 13: Debra Lea Enfield United States of America 464 Ridge Court Chaska, MN 55318	Residence: Chaska, MN	•
Signature:	•	Date:	
	Debra Lea Enfield		
Full Name of joint inventional Citizenship:  Post Office Address:	tor number 14: <u>Darrell Berg</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
	biooinington, init 33433		
Signature:	Darrell Berg	Date:	<u> </u>
	tor number 15: <u>Thomas Smigelski</u> United States of America	Residence: Lake Zurich, IL	
Citizenship: Post Office Address:	230 Waterford Drive Lake Zurich, IL 60047	Residence. Lake Zui Ru, 1D	
Signature:		Date:	
	Thomas Smigelski		
Full Name of joint invent	tor number 16: Thomas C. Tucker		
Citizenship:	United States of America	Residence: Chapel Hill, NC	
Post Office Address:	205 Silver Creek Trail Chapel Hill, NC 27514	,	
Signature:		Date:	
<del>-</del>	Thomas C. Tucker		

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 17: Joe Hall Citizenship: United States of America Residence: Bloomington, MN 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Date: Signature: Joe Hall Full Name of joint inventor number 18: John M. Logajan Residence: Arden Hills, MN United States of America Citizenship: Post Office Address: 4248 Hamline Avenue Arden Hills, MN 55112 į. Date: Signature: John M. Logajan Full Name of joint inventor number 19: Somyay Boualouang **United States of America** Residence: Bloomington, MN Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Signature: Date: Somvay Boualouang Full Name of joint inventor number 20: Heng Lou United States of America Residence: Bloomington, MN Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Date: Signature:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

Heng Lou

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Full Name of joint inve	ntor number 21: Mark D. Elpers		•
Citizenship: Post Office Address:	United States of America 16303 205th Avenue NW Elk River, MN 55330	Residence: Elk River, MN	
Signature:	Mark D. Elpers	Date:	· · · · · · · · · · · · · · · · · · ·
Full Name of joint invertice Citizenship: Post Office Address:	ntor number 22: Matt Downs United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:		Date:	
	Matt Downs		
Full Name of joint inver Citizenship: Post Office Address:	united States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:		Date:	
The state of the s	Tammy Ferris		
på	Adam Oncownski		•
Post Office Address:	ntor number 24: Adam Opoczynski United States of America 3705 Roxbury Lane Plano, TX 75025	Residence: Plano, TX	
Signature:		Date:	
	Adam Opoczynski		

Signature:

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Date:

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Joseph F. Chiappetta

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Signature:	Scott Sarnikowski	Date:	· · · · · · · · · · · · · · · · · · ·
Full Name of inventor: Citizenship: Post Office Address:		Residence:	· .
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	:
Signature:		Date:	

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## § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
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    - (ii) Asserting an argument of patentability.

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- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
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# **United States Patent Application**

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

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Application Number	Filing Date	Status
08/311.964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

Signature:

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: - Mark J. Dapper Citizenship: United States of America Residence: Cincinnati, OH 6558 Baywood Lane Post Office Address: Cincinnati, OH 45224 Signature: Mark J. Dapper Full Name of joint inventor number 2: Michael J. Geile Citizenship: United States of America Residence: Loveland, OH 316 Miami Valley Drive Post Office Address: Loveland, OH 45140 T' Date: Signature: Michael J. Geile Full Name of joint inventor number 3: Terrance J. Hill United States of America Citizenship: Residence: Fairfield, OH 1765 Garrett House Lane Post Office Address: Fairfield, OH 45014 1.5 Signature: Date: Terrance J. Hill Full Name of joint inventor number 4: Harold A. Roberts United States of America Citizenship: Residence: Eden Prairie, MN 7017 Beacon Circle Post Office Address: Eden Prairie, MN 55346

Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

Harold A. Roberts

X Additional inventors are being named on separately numbered sheets, attached hereto.

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Full Name of joint invectitizenship: Post Office Address:	ntor number 5: Brian D. Anderson United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	•
Signature:	Brian D. Anderson	Date:	•
Full Name of joint inver Citizenship: Post Office Address:	ntor number 6: <u>Jeffrey Brede</u> United States of America 8073 Curtis Lane Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
Signature:	Jeffrey Brede	Date:	
Di Fijil Name of joint inver Citizenship: Post Office Address:	ntor number 7: Mark S. Wadman United States of America 8956 Braxton Drive Eden Prairie, MN 55347	Residence: Eden Prairie, MN	••
Signature:	Mark S. Wadman	Date:	
Full Name of joint inven Citizenship: Post Office Address:	tor number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378	Residence: Savage, MN	
Signature:	Robert J. Kirscht	Date:	

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Signature:	James J. Herrmann	Date:	
Full Name of joint inver Citizenship: Post Office Address:	ntor number 10: <u>Michael J. Fort</u> United States of America 1045 Northview Park	Residence: Eagan, MN	·
Signature:	Eagan, MN 55123  Michael J. Fort	Date:	· · · · · · · · · · · · · · · · · · ·
Citizenship:	ator number 11: Steven P. Buska United States of America	Residence: Minnetonka, MN	
Post Office Address:	13370 Stanton Drive Minnetonka, MN 55305  Steven P. Buska	Date:	
Will Name of joint inven	steven P. Buska		
Citizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Jeff Solum	Date:	

Page	5	of	ł	ŧ

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Post Office Address:  Signature:  Debra Le  Full Name of joint inventor number Citizenship:  Post Office Address:  Darrell Be  Signature:  Darrell Be  Citizenship:  Un  Post Office Address:  Darrell Be  Signature:  Thomas S	nited States of America 4 Ridge Court naska, MN 55318 a Enfield 14: Darrell Berg nited States of America 00 West 78th Street comington, MN 55435	Residence: Chaska, MN  Date:  Residence: Bloomington, MN  Date:	
Post Office Address:  Signature:  Debra Lea  Full Name of joint inventor number Citizenship:  Post Office Address:  Darrell Be  Signature:  Darrell Be  Citizenship:  Un  Post Office Address:  Signature:  Thomas S	a Enfield  14: Darrell Berg  nited States of America  00 West 78th Street  oomington, MN 55435	Residence: Bloomington, MN	
Full Name of joint inventor number Citizenship: Post Office Address:  Bi Signature:  Darrell Be Citizenship: Univentor number Citizenship: Univentor number Citizenship: Post Office Address:  23 La Signature: Thomas S	a Enfield  14: Darrell Berg  nited States of America  00 West 78th Street  oomington, MN 55435	Residence: Bloomington, MN	
Full Name of joint inventor number Citizenship: Post Office Address:  Black Signature:  Darrell Be Citizenship: Univentor number Citizenship: Univentor number Citizenship: Univentor number Citizenship: Citizenship	14: <u>Darrell Berg</u> nited States of America 00 West 78th Street comington, MN 55435	Residence: Bloomington, MN	
Full Name of joint inventor number Citizenship: Post Office Address:  Black Signature:  Darrell Be Citizenship: Univentor number Citizenship: Univentor number Citizenship: Univentor number Citizenship: Citizenship	14: <u>Darrell Berg</u> nited States of America 00 West 78th Street comington, MN 55435	Residence: Bloomington, MN	
Full Name of joint inventor number Citizenship: Post Office Address:  Black Signature:  Darrell Be Citizenship: Univentor number Citizenship: Univentor of joint inventor number Citizenship: Citizenshi	14: <u>Darrell Berg</u> nited States of America 00 West 78th Street comington, MN 55435		
Citizenship: Un Post Office Address: 49 Black Signature: Darrell Be Citizenship: Un Post Office Address: 23 La Signature: Thomas S	nited States of America 00 West 78th Street oomington, MN 55435		
Citizenship: Un Post Office Address: 49 Black Signature: Darrell Be Citizenship: Un Post Office Address: 23 La Signature: Thomas S	nited States of America 00 West 78th Street oomington, MN 55435		
Post Office Address:  Black Signature:  Darrell Be Citizenship:  Post Office Address:  Citizenship:  Uni Post Office Address:  Citizenship:  Thomas S	oomington, MN 55435	Date:	
Signature:  Darrell Be		Date:	
Darrell Bernature:  Darrell Bernature:  Pull Name of joint inventor number Citizenship:  Post Office Address:  La Signature:  Thomas S	erg	Date:	
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Full Name of joint inventor number Citizenship: Post Office Address: La Signature: Thomas S	erg		•
Full Name of joint inventor number Citizenship: Un Post Office Address: 23 La La Signature: Thomas S			
Citizenship: Un Post Office Address: 23 La Signature: Thomas S			-
Citizenship: Un Post Office Address: 23 La Signature: Thomas S	16. Thomas Casicalski		•
Post Office Address: 23 La Signature: Thomas S	ited States of America	Residence: Lake Zurich, IL	
La La Signature: Thomas S	0 Waterford Drive	Acsidence, Dake Delica, 12	•
Signature: Thomas S	•		
Signature: Thomas S	ke Zurich, IL 60047		
Thomas S		Date:	
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**************************************	Milderski		
122 cth. 3 E 124 cth. 12 E 124 cth.			-
Full Name of joint inventor number	16: Thomas C. Tucker	·	
Citizenship: Ur	nited States of America	Residence: Chapel Hill, NC	
Olliss	5 Silver Creek Trail		
. 00. 01	napel Hill, NC 27514		
	Apol IIII, 110 2701		
Signature:		Date:	
Thomas C	C. Tucker		
			_
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X Additional inventors are being nan	ned on separately numbered she	ets, attached hereto.	

Signature:

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X Additional inventors are being named on separately numbered sheets, attached hereto.

Heng Lou

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Residence: Plano, TX

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

Full Name of joint inventor number 24: Adam Opoczynski

Post Office Address:

Citizenship:

Signature:

3705 Roxbury Lane

United States of America

Plano, TX 75025

Adam Opoczynski

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X Additional inventors are being named on separately numbered sheets, attached hereto.

Joseph F. Chiappetta

Our R	ef. 500.623	USI	l
Serial	No. 08/673	3,00.	2
Filing	Date: June	28,	1996

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Full Name of joint inventor Citizenship: Post Office Address:	number 29: • Scott Sarnikowski  United States of America  13235 57th Avenue North  Plymouth, MN 55447  SAN JOSE, CA 95138
Signature:	Scott Samikowski Date: 5/22/97
Full Name of inventor: Citizenship: Post Office Address:	Residence:
Signature:	Date:
Fall Name of inventor: Citizenship: Post Office Address:	Residence:
Signature:	Date:
Full Name of inventor: Citizenship: Post Office Address:	Residence:
Signature:	Date:

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# § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

#### SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

# **United States Patent Application**

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

# No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

### No such applications have been filed.

U

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Filing Date	Status
08/311,964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Fogg, David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryl S.	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J.	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Dryja, Michael A.	Reg. No. 39,662	Lemaire, Charles A.	Reg. No. 36,198		•

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

Signature:

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: . Mark J. Dapper **United States of America** Residence: Cincinnati, OH Citizenship: 6558 Baywood Lane Post Office Address: Cincinnati, OH 45224 Date: Signature: Mark J. Dapper Full Name of joint inventor number 2: Michael J. Geile United States of America Residence: Loveland, OH Citizenship: 316 Miami Valley Drive Post Office Address: Loveland, OH 45140 r: Date: Signature: Michael J. Geile u Full Name of joint inventor number 3: Terrance J. Hill United States of America Residence: Fairfield, OH Citizenship: 1765 Garrett House Lane Post Office Address: Fairfield, OH 45014 Date: Signature: În Îș Terrance J. Hill 14 Full Name of joint inventor number 4: Harold A. Roberts Residence: Eden Prairie, MN United States of America Citizenship: 7017 Beacon Circle Post Office Address: Eden Prairie, MN 55346 Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

X Additional inventors are being named on separately numbered sheets, attached hereto.

Harold A. Roberts

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

United States of America	Residence: Plymouth, MN	
11430 - 50th Place North		
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	Date:	
an D. Anderson		
mber 6: Jeffrey Brede		
	Residence: Eden Prairie. MN	
8073 Curtis Lane		
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	Date:	•
rey Brede		
	•	•
nber 7: Mark S. Wadman		,
nber 7: <u>Mark S. Wadman</u> United States of America	Residence: Eden Prairie, MN	
	Residence: Edeu Prairie, MN	
United States of America	Residence: Edeu Prairie, MN	
United States of America 8956 Braxton Drive	Residence: Eden Prairie, MN	
United States of America 8956 Braxton Drive	Residence: Edeu Prairie, MN  Date:	
United States of America 8956 Braxton Drive		
United States of America 8956 Braxton Drive Eden Prairie, MN 55347		
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United States of America 8956 Braxton Drive Eden Prairie, MN 55347  k S. Wadman  nber 8: Robert J. Kirscht	Date:	
United States of America 8956 Braxton Drive Eden Prairie, MN 55347  k S. Wadman  nber 8: Robert J. Kirscht United States of America	Date:	
United States of America 8956 Braxton Drive Eden Prairie, MN 55347  k S. Wadman  nber 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South	Date:	
	Plymouth, MN 55442  an D. Anderson  mber 6: <u>Jeffrey Brede</u> United States of America	Plymouth, MN 55442  Date:  an D. Anderson  mber 6: Jeffrey Brede  United States of America Residence: Eden Prairie, MN 8073 Curtis Lane Eden Prairie, MN 55347  Date:

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Jeff Solum

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Signature:

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Full Name of joint inver Citizenship: Post Office Address:	ntor number 13: Debra Lea Enfield United States of America 464 Ridge Court Chaska, MN 55318 Debra Lea Enfield	Residence: Chaska, MN
Signature:	Debra Lea Enfield	Date: <u>5 May 1997</u>
Full Name of joint inver Citizenship: Post Office Address:	united States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN
		Date:
Signature:	Darrell Berg	
Citizenship: Post Office Address:	ntor number 15: Thomas Smigelski United States of America 230 Waterford Drive Lake Zurich, IL 60047	Residence: Lake Zurich, IL
Signature:	<u> </u>	Date:
The section will be section to the s	Thomas Smigelski	
Full Name of joint inver Citizenship: Post Office Address:	ntor number 16: <u>Thomas C. Tucker</u> United States of America 205 Silver Creek Trail Chapel Hill, NC 27514	Residence: Chapel Hill, NC

Date:

Thomas C. Tucker

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Citizenship: Post Office Address:	tor number 17: Joe Hall United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:		Date:	
	Joe Hall .		
Citizenship: Post Office Address:	tor number 18: John M. Logajan United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Arden Hills, MN	
# 7		Date:	
Signature:	John M. Logajan		
100 mg			
Full Name of joint inven Citizenship: Post Office Address:	tor number 19: Somyay Boualouang United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Full Name of joint inven Citizenship: Post Office Address:	United States of America 4900 West 78th Street		
Full Name of joint inven Citizenship: Post Office Address: Signature:	United States of America 4900 West 78th Street	Residence: Bloomington, MN  Date:	-
Full Name of joint inven Citizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435  Somvay Boualouang	Date:	-
Full Name of joint inven Citizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435		-
Full Name of joint inven Citizenship: Post Office Address:  Signature:  Full Name of joint inven Citizenship:	United States of America 4900 West 78th Street Bloomington, MN 55435  Somvay Boualouang  stor number 20: Heng Lou United States of America 4900 West 78th Street	Date:	-

Signature:

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Plano, TX 75025

Adam Opoczynski

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Full Name of joint inventions.  Citizenship:	tor number 25: David S. Russell United States of America	Residence: Minneapolis, MN	
Post Office Address:	5145 Luverne Avenue Minneapolis, MN 55419		
Signature:		Date:	
J.g	David S. Russell		
	tor number 26: Calvin G. Nelson	Residence: Shorewood, MN	•
Citizenship: Post Office Address:	United States of America 26190 Birch Bluff Road Shorewood, MN 55331	Residence. Shot ewood, that	· · · · · ·
294.500	•	Date:	
Signature:	Calvin G. Nelson		
Full Name of joint inven Ciffizenship: Post Office Address:	tor number 27: Niranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT	
Signature:	•	Date:	
है कि की . हुन्म की	Niranjan R. Samant		
Hill Name of joint inven	tor number 28: Joseph F. Chiappetta		
Citizenship: Post Office Address:	United States of America 6 Ranch Drive Trumbull, CT 06611	Residence: Trumbull, CT	
Signatura		Date:	
Signature:	Joseph F. Chiappetta		

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Full Name of Joint inven Citizenship: Post Office Address:	United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:		Date:	
	Scott Samikowski		
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Signature:			
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
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    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

Apprima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.